

AO 440 (Rev. 08/01) Summons in a Civil Action

**United States District Court**  
MIDDLE DISTRICT OF ALABAMA

**CAPITOL RECORDS, INC., a Delaware corporation;  
VIRGIN RECORDS AMERICA, INC., a California  
corporation; UMG RECORDINGS, INC., a Delaware  
corporation; SONY BMG MUSIC ENTERTAINMENT,  
a Delaware general partnership; ARISTA RECORDS  
LLC, a Delaware limited liability company; and BMG  
MUSIC, a New York general partnership,**

**SUMMONS IN A CIVIL CASE**

**CASE NUMBER:**

*2:07cv201-MHT*

**v.**

**Kelvin Phillips**

**TO:**

**Kelvin Phillips  
3030 Southmall Cir.  
Apt. C  
Montgomery, AL 36116**

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S' ATTORNEY

**Dorman Walker (Bar # WAL086)  
Kelly F. Pate (Bar # FIT014))  
BALCH & BINGHAM LLP  
105 Tallapoosa Street, Suite 200  
P.O. Box 78 (36101)  
Montgomery, Alabama 36104**

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

*Debra P. Hackett*

(BY) DEPUTY CLERK

*[Signature]*

DATE

*3/6/07*

<b>RETURN OF SERVICE</b>		
Service of the Summons and Complaint was made by me <sup>1</sup>	DATE	
NAME OF SERVER	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served _____ </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  Name of person with whom the summons and complaint were left _____ </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted _____  _____  _____ </div> <div> <input type="checkbox"/> Other (specify) _____  _____  _____ </div>		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>  <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Executed on _____</p> <p style="text-align: center;">Date</p> </div> <div style="width: 45%;"> <p>_____  <i>Signature of Server</i></p>   <p>_____  <i>Address of Server</i></p> </div> </div>		

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1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.